

Serial No. 10/032,249

Reply to Office Action dated February 9, 2006**REMARKS**

Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

A. Status of Claims / Explanation of Amendments

Claims 1, 2, 5, 8, 10, 16 and 19 were pending. By this paper, claims 1, 5, 8, 10 and 19 are amended and new claims 25-27 are added.

Claim 1 is amended to recite, inter alia, "the wireless communication system resets transmission timing for retransmitting of a control signal transmittal from the base station and addressed to the wireless communication apparatus in a case where a response signal in response to the control signal from the base station and addressed to the wireless communication apparatus is not received from the wireless communication apparatus."

Similar amendments were made to independent claims 8 and 10.

Claim 5 is amended to conform to amended claim 1 and recites, inter alia, "the base station resets the transmission timing in a case where the response signal in response to the control signal from the base station and addressed to the apparatus designated by an incoming call is not received." Claim 19 is similarly amended.

New method claims 25-27 are directed to methods "of transmitting a control signal from a base station." Independent claim 25 recites, inter alia, "transmitting a control signal addressed to the wireless communication apparatus; and resetting transmission timing for retransmitting of the control signal addressed to the wireless communication apparatus in a case where a response signal in response to the control signal addressed to the wireless communication apparatus is not received from the wireless communication apparatus." Claim 26, dependent from claim 25, further recites "wherein in said resetting transmission timing, the retransmission timing is reset in a case where informing the wireless communication apparatus of an incoming call is failed." Claim 27, dependent from claim 25, further recites

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"wherein in said resetting transmission timing, the retransmission timing is reset in a case where the response signal in response to the control signal from the base station and addressed to the apparatus designated by an incoming call is not received."

Support for these claim amendments can be found throughout the application as originally filed. No new matter is added through these amendments. Entry is respectfully requested.

The office action rejected claims 1, 2, 5, 8, 10, 16 and 19 pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,370,111 to Takeda et al. ("Takeda") in view of U.S. Patent No. 5,241,598 to Raith ("Raith"). Applicants respectfully disagree with the characterization of the pending claims and of the prior art in the stated rejections and respectfully traverse these rejections.

B. Claims 1-2, 5, 8, 10, 16, and 19 Are Patentably Distinct From Takeda in view of Raith

The obviousness rejection of claims 1, 2, 5, 8, 10, 16 and 19 is respectfully traversed since the references, alone or in combination, fail to teach, disclose or suggest all of the claim elements recited in the pending claims.

Specifically, applicant's claim 1 recites:

1. A wireless communication system comprising
a base station; and
a wireless communication apparatus,
wherein the wireless communication system resets transmission timing for retransmitting of a control signal transmittal from the base station and addressed to the wireless communication apparatus in a case where a response signal in response to the control signal from the base station and addressed to the wireless communication apparatus is not received from the wireless communication apparatus.

Takeda is directed to a method for controlling communication of mobile equipment having a public base station and a wireless communication apparatus. The office

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action admits that “[Takeda] does not explicit[ly] disclose wherein the communication system resets transmission timing for retransmitting of a control signal transmitted from the base station and addressed to the wireless communication apparatus” when the system is out of order. (Office Action, pp. 2-3). For this feature, the office action attempts to rely on Raith.

Raith is directed to a rolling key resynchronization in cellular verification and validation system. According to the office action, Raith “teaches a wireless communication network (fig. 1) that resets a B key timing (time slot) for re-synchronizing a mobile station B key after synchronization is lost or out of synchronization.” (Office Action, p. 3). Support for this assertion is allegedly found in Raith at column 29, lines 1-8, column 30, line 38 through column 31, line 9, and column 31, lines 45-50.

The passage in Raith at column 29, lines 6-11 describes a temporary enciphering variable or S-key:

“After executing all six iterations of the second application of the algorithm, the second 8 bytes appearing in the 16-byte input array are used as the temporary enciphering variable (S-key) and the first 8 bytes become the next rolling key variable if an update of the rolling key is performed. In the event of a rolling key update, the first 8 output bytes overwrite the old rolling bytes in the order Kb(1), Kb(2), Kb(3), Kb(4), Kb(5), Kb(6), Kb(7), Kb(0).”

The passages beginning at column 30, line 38 discuss the resetting of the B-key in each of the network and the mobile station.

However, Raith describes that “[r]esetting of the B-key in accordance with the present invention may be performed ... at any time, e.g., registration, call set-up, conversation, handoff, etc., by including in a message sent from the network to the mobile station an order or a signal (flag) to resent the B-key” (Raith, col. 30, ll. 49-54).

In particular, Raith describes that the B-key is reset in response to a signal received by the mobile station from the network:

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"For example, the B-key reset flag may be contained in the initial voice channel designation message, sent from the network to the mobile station on the control channel at call set-up, which instructs the mobile station to tune in to a particular voice channel frequency and an appropriate time slot." (Raith, col, 30, ll. 55-60).

Raith again discloses resetting the B-key is response to a signal received by the mobile station or from the mobile station in the next passage:

"The network may reset the B-key value in the network ... immediately before or at the time of activating the B-key step flag ... in an order message sent to the mobile station or immediately after receiving from the mobile station an acknowledgement of the order message." (Raith, col, 30, l. 65 – col. 31, l. 3).

Then, later in the specification, Raith seems to suggest that the B-key may be reset at other times:

"As mentioned above, the timing of B-key reset in the network vis-a-vis the mobile station is generally not critical and the network may reset the B-key value in the network before or after activating the B-key reset flag in a message sent to the mobile station.... [T]he network may reset the B-key input to AUTH in the network at or immediately before the time of sending the authentication order to the mobile station, or more generally, at any time prior to validating the RESP returned by the mobile station." (Raith, col. 31, ll. 45-50)

Therefore, none of the passages cited in the office action or elsewhere in Raith teaches, discloses or suggests "the wireless communication system resets transmission timing for retransmitting of a control signal transmittal from the base station and addressed to the wireless communication apparatus in a case where a response signal in response to the control signal from the base station and addressed to the wireless communication apparatus is not received from the wireless communication apparatus" as recited in Applicant's claim 1.

For at least the foregoing reasons, independent claims 1, 8 and 10 and their dependent claims 2, 5, 16 and 19 are believed to be patentably distinct from the cited references. For at least similar reasons, new claims 25-27 are also asserted to be patentable.

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Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicants, however, reserve the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

In view of the foregoing, the present invention as recited in the claims presented herein is believed patentably distinct over the art of record and Applicants respectfully request that the respective rejections be withdrawn and the application be allowed as the application is hereby placed in condition for allowance.

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

AUTHORIZATION

While the petitioned extension of time is believed sufficient, should an additional extension of time be necessary to render this filing timely, such is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4804.

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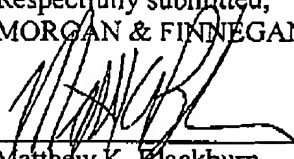
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An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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Dated: May 23, 2006

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